



§ Examiner: Lohn, Joshua A.
§ Group/Art Unit: 2114
§ Atty. Dkt. No: 5681-53600

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**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION OVER
A PENDING SECOND APPLICATION**

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1. SUN MICROSYSTEMS, INC. is the owner of all rights in the captioned application.
2. As sole owner in the captioned application, SUN MICROSYSTEMS, INC. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Serial No. 09/963,890 titled "Dynamically Reconfigurable Interconnection" filed on September 25, 2001. SUN MICROSYSTEMS, INC. hereby agrees that any patent so granted on the captioned application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

3. In making the above disclaimer, SUN MICROSYSTEMS, INC. does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

4. The undersigned is an agent of record.

5. A Fee Authorization form for the Terminal Disclaimer fee under 37 CFR 1.20(d) is included.

If the Fee Authorization form is missing or is deficient, the Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505\5681-53600.

Respectfully submitted,



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